

REMARKS

Prior to entry of this paper, Claims 1-33 were pending. Claims 1-33 were rejected. In this paper Claims 1, 10, 22, 28, and 31-33 are amended. No claims are canceled or added. After entry of this amendment, Claims 1-33 will be pending. For at least the following reasons, it is respectfully submitted that each of the presently pending claims is in condition for allowance.

Claim Rejections – 35 U.S.C. §§ 102(e) and 103(a)

Claim 32 was rejected under 35 U.S.C. § 102(e) as being anticipated by Wright et al., U.S. Patent No. 7,308,703 B2 (hereinafter “Wright”).

Claims 1-2, 4-11, 13-18 and 20-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wright in view of Shah et al., U.S. Patent No. 7,430,524 B2 (hereinafter “Shah”). Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Wright and Shah and further in view of Ishikawa, U.S. Patent No. 7,200,272 B2 (hereinafter “Ishikawa”). Claims 3 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wright and further in view of Levine, U.S. Patent Application Publication No. 2002/0111852 A1 (hereinafter “Levine”). Claim 33 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wright and further in view of Levine.

Amended Claim 32 recites, in part (added text underlined):

*applying, using the server device, a dynamic policy to the access based, in part, on the determined level of security software enabled; and
applying, using the server device, a restriction to the client device for access by the client device to the requested resource, the restriction based on the applied dynamic policy*

In contrast, Wright discloses a **mobile device** that limits that **same mobile device’s** access to data based on a detected location.¹ Wright does not disclose, teach, or suggest a **server device**, which has received a request for access to a resource **from a client device**, applying a dynamic policy to the access as recited. Applicants’ representative appreciates that the names

¹ See Wright, column 2 lines 48-49.

“client” and “server” are general terms in the computer networking arts, as pointed out in the Office Action.² However, regardless of the name of the device, Wright does not disclose, teach, or suggest one device applying a dynamic policy to the access performed by another device.

For example, the location detection module 208 of Wright’s **mobile device** may detect when a mobile device is “Home” 104, at “Work” 106, or “Mobile” 102.³ Wright’s location detection module 208 may work in conjunction with policy setting module 212 of Wright’s **mobile device** to prevent the **mobile device** from accessing data based on the device’s detected location.⁴ Clearly, Wrights’ **mobile device** sets a security policy on itself, based on a location detected by the mobile device’s detection module 208.

Based on the Examiner’s suggestion,⁵ amended Claim 32 now even more clearly recites two separate devices – the server device and the client device, such that the server device is used to apply a dynamic policy to the access requested by the client device. As Wright clearly discloses a single device preventing itself from accessing data, Wright fails to disclose, teach, or suggest “applying, using the server device, a dynamic policy to the access based, in part, on the determined level of security software enabled; and applying, using the server device, a restriction to the client device for access by the client device to the requested resource, the restriction based on the applied dynamic policy” as recited in amended Claim 32.

Amended independent Claim 1 is amended in a substantially similar, albeit different, way to amended Claim 32. Thus, Wright does not disclose, teach, or suggest the subject matter of amended Claim 1 for at least the same reasons as discussed above for amended Claim 32.

Shah also does not teach or suggest this limitation, or otherwise cure the deficiencies of Wright. In contrast, Shah discusses downloading a program to a client and determining information

² See Office Action mailed January 5, 2010, page 3.

³ See Wright, column 5 lines 18-38.

⁴ See Wright, column 2 lines 49-53.

⁵ See Office Action, page 20.

regarding a plurality of devices and programs on the client.⁶ While Shah discusses using this information for documenting and modifying the client system configuration, as well as adding/removing programs or devices to/from the client system,⁷ Shah does not teach or even suggest the recited apparatus applying a restriction to the client device. Therefore, even the proposed combination of Wright and Shah fails to teach or suggest “applying, using the apparatus, a dynamic policy for the access based, in part, on the received configuration; and applying, using the apparatus, a restriction to the client device for access by the client device to the requested resource, the restriction based on the applied dynamic policy” as recited in amended Claim 1.

Independent Claims 10, 22, 28, 31, and 33 have been amended in a substantially similar, albeit different, way to amended Claim 1. Thus, the proposed combination of Wright and Shah fails to teach or suggest the subject matter of amended Claims 10, 22, 28, 31, and 33 for at least the same reasons as discussed above for amended Claim 1. Therefore, amended Claims 10, 22, 28, 31, and 33 are now in condition for allowance.

Furthermore, since dependent Claims 2-9, 11-21, 23-27, and 29-30 are at least allowable for the same reasons as amended independent Claims 1, 10, 22, and 28 upon which they depend respectively, the rejection of these claims is now moot. Accordingly, Applicants’ representative respectfully requests the rejection under 35 U.S.C. §103(a) of Claims 1-31 and 33 be withdrawn.

⁶ See Shah, column 76 lines 9-15.

⁷ See Shah, column 77 lines 55-57.

CONCLUSION

It is respectfully submitted that each of the presently pending claims (Claims 1-33) are now in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicant's representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

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